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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,911	05/23/2001	Steven Shepley	D-1140	1612

28995 7590 02/16/2007		EXAMINER	
RALPH E. JOCKE		HESS, DANIEL A	
walker & jocke LPA			
231 SOUTH BROADWAY		ART UNIT	PAPER NUMBER
MEDINA, OH 44256		2876	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)
	09/863,911	SHEPLEY ET AL.
	Examiner	**Art Unit**	
	Daniel A. Hess	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 May 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _23 May 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to Applicant's filing of 5/23/2001, which has been entered into the electronic file of record.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01.

Re claim 1: The precise scope and meaning of "Open Device Services" is not clear from the claim. Whereas "XFS" is an industry-standard term, "ODS" is a term that the Applicant appears to have coined. As the claim now reads, the ODS layer does not serve any special function (other than to be an intermediate layer).

In the specification on the other hand, the ODS layer is described as having a specific role, as conveyed on page 8, lines 7-14:

"The ODS layer is operative to route the terminal application commands through the correct XFS layer. Those devices that include WOSA/XFS service provider interfaces will have

corresponding ODS components that are operative to communicate with the WOSA/XFS

Manager. Those devices that include J/XFS device services will have corresponding ODS

components that are operative to communicate with the J/XFS Kernel. In a further alternative

embodiment, each ODS component is operative to communicate with either XFS layer depending

on ODS configuration parameters which specify which XFS layer each ODS component should

use to communicate with devices. "

The role, function and action of the ODS layer needs to be clarified in the claims. If the

claim were read from the view that the ODS layer does not serve any special function, then what

is left is the interaction between the XFS layer and the device driver layer, which has already

been admitted to be old in the specification. That is clearly not the intent of the Applicant.

Claims 21-36 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete

for omitting essential steps, such omission amounting to a gap between the steps. See MPEP

§ 2172.01.

Re claims 21 and 26: The reasons for this rejection are similar to the reasons for

rejection of claim 1, above.

The precise scope and meaning of "Open Device Services" is not clear from the claim.

Whereas "XFS" is an industry-standard term, "ODS" is a term that the Applicant appears to have

coined. As the claim now reads, the ODS layer does not serve any special function (other than to

be an intermediate layer).

In the specification on the other hand, the ODS layer is described as having a specific

role, which needs to be clarified in the claims. If the claim were read from the view that the

ODS layer does not serve any special function, then what is left is the interaction between the

XFS layer and the device driver layer, which has already been admitted to be old in the

specification. That is clearly not the intent of the Applicant.

Remarks

The Examiner wishes to convey that if the omitted elements and methods were included

in the independent claims in a satisfactory way, the Examiner would be strongly inclined to

allow the case.

The prior art fails to teach or fairly convey a transaction machine or method according to

any of the independent claims, wherein (including all the language now existing in the

independent claims), the ODS layer is operative to route the terminal application commands

through the correct XFS layer such that those devices that include WOSA/XFS service provider

interfaces will have corresponding ODS components that are operative to communicate with the

WOSA/XFS Manager while those devices that include J/XFS device services will have

corresponding ODS components that are operative to communicate with the J/XFS Kernel.

Also the prior art fails to teach or fairly convey a transaction machine or method

according to any of the independent claims, wherein (including all the language now existing in

the independent claims), wherein each ODS component is operative to communicate with either

XFS layer depending on ODS configuration parameters which specify which XFS layer

(WOSA/XFS or J/XFS) each ODS component should use to communicate with devices.

The Applicant can feel free to contact the Examiner to confirm that particular claim language is satisfactory.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Two examples of where Extensions for Financial Services (XFS) libraries are employed in an ATM-type environment are Korala et al. (US 2003/0055876) and Antonin et al. (US 2002/0138446).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel A. Hess whose telephone number is (571) 272-2392. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F.
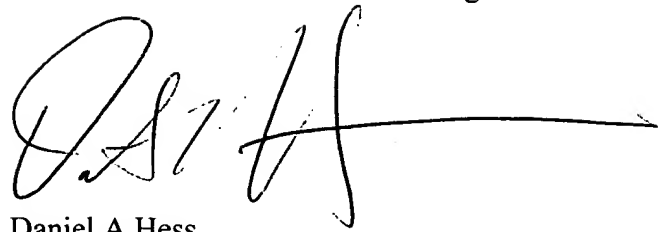
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel A Hess
Examiner
Art Unit 2876

2/10/2007